



# Village of Biscayne Park

640 NE 114<sup>th</sup> Street  
Biscayne Park, FL 33161  
(305) 899-8000

## Code Review Board MEMBERS

Gage Hartung  
Chairman

David Coviello  
Vice Chairman

Dale Blanton  
Judi Hamelberg  
Gary Kuhl  
Isaias Ortiz

## MINUTES

### CODE REVIEW BOARD MEETING Ed Burke Recreation Center 11400 NE 9th Court Wednesday, April 18, 2012- 7:00 pm.

Call to Order 7:03 pm

Present: Gary Kuhl, Dale Blanton, Gage Hartung, Judi Hamelburg, David Coviello

Old Business.

1. Reviewed letter from Code officer Candido Sosa-Cruz (letter attached to minutes) with suggestions to language created by the CRB during the March 21, 2012 meeting regarding dumpsters, 6.3.2(c). The Code Review Board reviewed his letter and made the following changes:

Changes are in *Italic and underlined*.

Motion: David Coviello, Second: Judy Hamelburg, Passes 5-0

#### 6.3.2(c) Dumpsters

(i) Intent. It is the intent of this section to regulate the location and construction of bulk container enclosures in a manner that promotes the public health and safety, and lessens or otherwise mitigates the visual impact of such bulk containers upon the community. A bulk container is a receptacle with a capacity of greater than one (1) cubic yard which purpose is for the disposal and storage of garbage, trash and any form of waste materials, not including hazardous or infectious waste.

(ii) Enclosure. Wheeled bulk containers for the disposal of solid waste shall be enclosed in a fence or wall ~~consistent with Biscayne Park Code 11.6 Fences and Walls~~, fully screening it from view. Chain link fencing is not permitted for enclosure or gate. Containers are to be positioned upon a hard surface pad ~~located behind the building line(s) of the user location and they are positioned such that the smaller side of the bulk container faces the public right-of-way~~, and a hard surface roll-way from the pad to the servicing area is provided to facilitate servicing. Wheeled bulk containers shall only be placed curbside for collection and shall remain curbside for a reasonable amount of time in order to facilitate collection. In no case shall wheeled bulk containers remain overnight at curbside or street side.

(iii) Size Requirement. Each enclosure shall provide a minimum of eighteen (18) inches of clear space between each side of each bulk container (including lifting flanges) and the adjacent wall surface of that enclosure, or other containers

within the same enclosure. The height of each enclosure shall be six (6) inches greater than the highest part of the bulk container therein.

(iv) Placement. The placement of containers and enclosures shall be planned and constructed in a manner that allows unobstructed access to each container and the unobstructed opening of the gates during the emptying process. Containers shall not be located in such a manner that the service vehicle will block the any intersection during the emptying process. Containers shall be located to the rear of the property, no closer than 10 (ten) feet to a property line.

(v) Gates. All enclosures shall have gates and their construction shall be of sturdy metal frame and hinges with an opaque facing material. Servicing gates shall incorporate gate stops and latches that are functional in the full open and closed positions. Hinge assemblies shall be strong and durable so that access and servicing gates function properly and do not sag. Enclosure gates shall be closed at all times except for the time necessary to service the bulk container(s).

(vi) Pad / Hard Surface. All enclosures shall be placed on poured concrete, solid or perforated interlocking concrete block paving (ICB), or any existing hardened paving system. A service access drive for the purpose of emptying the bulk container shall also be provided unless a hard surface that provides access to the bulk container already exists.

(vii) Maintenance. Approved enclosures shall be maintained in good condition and appearance at all times. Gates and latches shall be kept fully operable and shall be closed except during scheduled collection periods. Enclosures and containers shall be cleaned periodically to prevent noxious odors and unsanitary conditions from occurring. Enclosure pads and access drives shall be repaired or rebuilt whenever the pavement structure deteriorates. (added by Code Review Board 3/21/2012)

New Business.

1. Windows. Discussion about how the code is missing language requiring that windows on residences match. The Code Review Board made the following suggested addition to Chapter 10 of the Land development code:

Motion: Judy Hamelburg, Second: Gary Kuhl, Passes 5-0

#### 10.3.3 Windows.

(a) Windows that face a street should all be of the same style and color. (added by Code Review Board 4/18/2012)

2. Screen Enclosure. Discussion about how the code is missing language addressing screen enclosures. The Code Review Board made the following suggested addition to Chapter 11 of the Land development code:

Motion: Judy Hamelburg, Second: Gary Kuhl, Passes 5-0

#### 11.11. Screened Enclosures.

- (a) To be located to the rear of the primary structure.
- (b) Shall maintain the same set-backs as the primary structure.
- (c) The height of the screen enclosure shall not exceed the height of the peak of the roof of the primary structure.
- (d) Roofs made of metal may be permitted on these structures.

(e) Structure and screens shall be maintained in good condition and screens replaced if ripped, torn or missing.

Adjourned 8:00

Minutes approved: 5/16/12, 4-0 yes. Hartung, Caviello, Blanton, and Kuhl

Code Compliance Officer Biscayne Park. code@biscayneparkfl.gov Mon, Apr 16, 2012

To: Gage Hartung

Hello Gage,

Hope all is well on your end. I received an email this morning from the Village Attorney concerning Sec. 8.4.1 Property Maintenance. From my understanding the attorney is currently revising the verbiage of the ordinance, I provided some revisions and examples of other City ordinances.

In regards to Sec. 6.3.2 Containers:

- I think part (ii) should reflect bulk containers (more general) instead of wheeled bulk containers .
- I also think that we should not relate Sect. 11.6 Fences and Walls to Bulk Container enclosure. There could be a potential for misinterpretation and misguidance. If desired we can add more to the Bulk Container ordinance to make it more specific.
- Before the numbering (i), (ii), (iii), etc... I think it will be helpful to state a subtitle, for example (ii) Enclosure., (iii) Size Requirements., (iv) Placement., (v) Gates., (vi) Pad/Hard Surface., (vii) Maintenance.

In regards to number (ii) I do not think we should restrict the placement of the bulk container to behind the building line and positioned so that the smaller side of the bulk container faces the public right of way, and a hard surface roll-way from the pad to the servicing area is required. I think there should be some flexibility with the property owner, and possibly work out a position/location with the Planning & Zoning board, meaning approval for the position/location of the bulk container enclosure should be reached in agreement between the P&Z Board and property owner.

These are some of my recommendation, please let me know if you have any questions.

Thank you,

Candido Sosa-Cruz, Code Compliance Officer

VILLAGE OF BISCAYNE PARK

Code Compliance Department

640 NE 114th Street  
Biscayne Park, FL 33161  
Tel: 305 899 8000, Ext. 211  
email: code@biscayneparkfl.gov